

UNITED STATES OF AMERICA  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
CINCINNATI AREA OFFICE

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KIMBERLY EDELSTEIN, :  
: EEOC Nos.  
: 473-2017-00341  
Complainant, : 473-2018-00055  
:  
v. :  
:  
JUDGE GREGORY STEPHENS :  
and BUTLER COUNTY, :  
Respondents. :  
:

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Volume I

Videoconference

Wednesday, July 7, 2021

The hearing commenced at 9:00 a.m. EDT

BEFORE:

THE HONORABLE SUSAN L. BIRO,  
Administrative Judge

APPEARANCES:

On behalf of the Complainant:

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## CONTENTS

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
Gregory Stephens	10			
Melinda Barger	169	282	306	
			343	
Kimberley Edelstein	351			

EXHIBIT NO.		MARK	RECD
Joint			
1-10, 12-14		7	7
Complainant			
110	Stephens Response to Interrogatories	24	
45	Letter from Woeber to Klingler	32	34
112	Stephens Response to Admissions	34	
131	Stephens Response to Request for Production of Documents	44	
21	Amended Federal Complaint	46	
108	Stephens Answer to Amended Complaint	47	
44	Request to Employer for Separation Information	50	
125	Deposition of Gary Yates	51	
96	Stephens Response to EEOC Charge	63	
97	Stephens Affidavit re EEOC Charge	64	
A114	Stephens Supp. Response to OC (Amended)	66	
134	Stephens Supp. ROG Verification	66	
135	RMC v. Beiser	68	
78	Email re: Jewish High Holy Days	70	
136	Christman v. Aztech	72	
137	Federal National Mortgage v. Lyons	75	
138	Grizzel v. Buehrer	78	
139	Highlander v. YRC Freight	80	
140	Kipus v. Bush	86	
141	Vickers v. Peck	90	
142	Wendling v. Sturgill	96	

152

1 Q Okay. If you look at the section  
2 entitled: About us, it gives a description of the  
3 church. Could you please read the sentence  
4 regarding the church's doctrinal adherence?

5 A Well, I can read it, but I didn't  
6 prepare this, so I don't -- it's what it says it  
7 is. We adhere doctrine of the Baptist faith  
8 messages adopted by the Southern Baptist  
9 Convention in 2000, and we covenant to serve the  
10 Lord together according to the scriptures as  
11 summarized here. And it appears to have a  
12 hyperlink. Once again, I did not prepare any of  
13 this information.

14 Q Okay. Well, let me ask you. When a  
15 church is affiliated with the Southern Baptist  
16 Convention, is it common to adopt their message  
17 of faith and -- their faith and message?

18 A Some churches do, some churches don't.  
19 They don't have to. Also, the Baptist Churches  
20 operate independently.

21 Q Okay. Well, let me ask you. When you  
22 worked at Sharon Baptist Church and First Baptist

153

1 Church of Ross, were they affiliated -- did --  
2 I'm sorry -- rather, did they adopt the Southern  
3 Baptist faith and message?

4 A I do not know because I never had on  
5 a personal level. I just preached the Bible and  
6 that's all I've ever adopted. I couldn't even  
7 tell you what the Baptist faith and message says.

8 MS. EDELSTEIN: Okay. Well, if I may  
9 turn to CX 102.

10 (Whereupon, the above-referred to  
11 document was marked as Exhibit CX 102 for  
12 identification.)

13 BY MS. EDELSTEIN:

14 Q I will go ahead and ask you a little  
15 bit about it and maybe you can tell me where I'm  
16 wrong. This document is listed at the top as the  
17 Baptist faith and message adopted in 2000 by the  
18 Southern Baptist Convention. Do you see that?

19 A I see that's the title, yes.

20 Q Okay. And that is the same title that  
21 is listed on the about us on CX 101; is that  
22 correct?

154

1 A That wording is on that document, yes.

2 Q Okay. So if you could explain,  
3 please, for my benefit, on page 3.

4 A Okay.

5 Q There is a paragraph that is Roman  
6 numeral 4?

7 A Yes.

8 Q And the first paragraph in there. If  
9 you look at this section, it's entitled  
10 salvation. And I was wondering if you could  
11 explain the last sentence.

12 A Do you mean what it says or what I  
13 believe?

14 Q What it says.

15 A Okay. What it says is: There is no  
16 salvation apart from personal faith in Jesus  
17 Christ's Word.

18 Q Okay. Now, let me ask you, do you  
19 hold that belief?

20 A I would not phrase my belief the way  
21 it phrases the belief.

22 Q Okay. Well, what part of that belief

155

1 do you disagree with?

2 A It's not necessarily a disagreement,  
3 it's a clarification. Different terms mean  
4 different things to different Christian people.  
5 So I -- without having any other direct knowledge  
6 of this document, I cannot tell you that I feel  
7 comfortable knowing what the intended meaning of  
8 that sentence is.

9 Q Okay. Well, let me ask you, if you  
10 will take a moment to look over section 4. I'd  
11 like to ask you about your belief on that.

12 A Well, can you just ask me without me  
13 reviewing section 4? I'll be happy to tell you.

14 Q Okay. So do you believe that  
15 salvation can occur without acceptance of JC,  
16 referring to Jesus Christ?

17 A You talking about Jesus Christ?

18 Q Yes.

19 A No, I do not believe. I do -- I  
20 believe you have to accept the forgiveness of  
21 Jesus Christ to have forgiveness with God.

22 Q Okay. And does that acceptance

156

1 include a personal faith in JC?  
 2 THE WITNESS: Your Honor, again, for  
 3 the record, can we -- can she say Jesus Christ,  
 4 so I know that that's what she's referring to?  
 5 JUDGE BIRO: Yes.  
 6 MS. EDELSTEIN: I apologize.  
 7 JUDGE BIRO: It's disrespectful.  
 8 MS. EDELSTEIN: I --  
 9 JUDGE BIRO: Please refer to Jesus  
 10 Christ as it is.  
 11 MS. EDELSTEIN: Okay. Just so you're  
 12 aware, for the record, it is against my religion  
 13 to refer to other deities, but I will go ahead  
 14 for this and state Jesus Christ.  
 15 THE WITNESS: Can you repeat the  
 16 question, please.  
 17 BY MS. EDELSTEIN:  
 18 Q Yes. Is -- does that salvation  
 19 involve having a personal faith in Jesus Christ?  
 20 A It involves a personal faith that  
 21 Jesus Christ died to pay the penalty of our sins,  
 22 yes.

158

1 Q Do you see the sentence that starts  
 2 with: The unrighteous?  
 3 A Yes.  
 4 Q Okay. Could you please read that.  
 5 A The unrighteous will be consigned to  
 6 hell, the place of ever-lasting punishment.  
 7 Q Do you hold that belief?  
 8 A I believe hell is a literal place and  
 9 anyone that is not forgiven of their sins is  
 10 separated from God forever. Actually,  
 11 technically in the lake of fire because hell was  
 12 cast into the lake of fire according to the book  
 13 of Revelation.  
 14 Q Okay. And therefore, a person who  
 15 does not accept Jesus Christ will not achieve  
 16 salvation and the alternative then is to end up  
 17 in hell?  
 18 A Hell and then the lake of fire, yes.  
 19 Q Okay. Could you explain for my  
 20 benefit, please, what the lake of fire is?  
 21 A Not really. Revelation 21 or 22 talks  
 22 about death and hell being cast into the lake of

157

1 Q Okay. So may I ask you, why is  
 2 salvation important in your religion?  
 3 A Forgiveness is necessary to have an  
 4 eternal home in heaven with God. The alternative  
 5 is condemnation and eternal separation from God.  
 6 That's why it's important.  
 7 Q Okay. And does that mean then that in  
 8 your belief system, if you -- if a person does  
 9 not accept Jesus Christ as their savior, they  
 10 cannot achieve salvation?  
 11 A I believe the Bible teaches that there  
 12 is no forgiveness of sin unless you trusted Jesus  
 13 Christ to do that for you.  
 14 Q So there's no other path to salvation  
 15 or a life in eternal heaven?  
 16 A According to these spiritual beliefs  
 17 and practices that I hold, no, there is not.  
 18 Q Okay. Thank you. Could you please  
 19 turn to page 5 of this document. There is a  
 20 subsection heading that's marked with the Roman  
 21 numeral 10?  
 22 A Yes.

159

1 fire. I take it literal. I assume that means an  
 2 eternal big lake of fire.  
 3 Q Okay. So based on your religion, it's  
 4 a very serious situation to be condemned to hell;  
 5 is that correct?  
 6 A Yes.  
 7 Q And is that part of the reason why  
 8 salvation is very important to you?  
 9 A It will be the only reason why  
 10 salvation is important, yes.  
 11 Q Okay. Now, this sentence refers to  
 12 the unrighteous. Do you have any concept that  
 13 you can explain to me of what you believe  
 14 unrighteous people are?  
 15 A We're all unrighteous. We only have  
 16 righteousness in the completed work of Jesus  
 17 Christ.  
 18 Q Okay. So you're referencing that man  
 19 is sinful originally?  
 20 A Yes.  
 21 Q Okay.  
 22 A What do you mean by originally?

160

1 Q In other words, that man is born  
2 sinful?

3 A Yes, because of the original sin of  
4 Adam and Eve, yes.

5 Q Okay. Thank you for clarifying that.  
6 And is it your religious belief that in order to  
7 change a circumstance, the person would have to  
8 become un sinful?

9 A You'll have to clarify that question.

10 Q If a person is originally a sinful  
11 person, they have to undergo some process to  
12 become not sinful; is that correct?

13 A No, that's not correct because we're  
14 still sinful. You have to accept that Jesus  
15 Christ died to forgive you of your sins.

16 Q Okay.

17 A Your sins are forgiven you, it does  
18 not make me perfect or sinless.

19 Q Okay. So you are still sinful but you  
20 are simply forgiven?

21 A Yes.

22 Q Okay. Could you turn to page 6,

161

1 please.

2 A Still on CX 102?

3 Q Correct. Thank you. The first  
4 paragraph is still under subheading 10.

5 A Yes.

6 Q Could you read the first sentence to  
7 me that talks about a duty and privilege.

8 A It's the duty and privilege of every  
9 follower of Christ and of every church of the  
10 Lord, Jesus Christ, to endeavor to make disciples  
11 of all nations.

12 Q Okay. And the churches of the Lord  
13 Jesus Christ would include the Sharon Baptist  
14 Church, the Talawanda Baptist Church, and the  
15 First Baptist Church of Ross; is that correct?

16 A Yes.

17 Q Okay. And when -- it indicates that  
18 it's a duty to endeavor to make disciples of the  
19 nation -- of all nations. What does that duty  
20 entail?

21 A It entails sending missionaries all  
22 around the world, preaching the gospel, and

162

1 teaching them how to know God better through  
2 Jesus Christ's sacrifice, and also educating them  
3 about the Bible.

4 Q Okay. So a large component of that is  
5 education?

6 A Sure.

7 Q Okay. And what does it mean by  
8 privilege?

9 A I don't know. I didn't write it.

10 Q Okay. Well, do you have -- do you  
11 hold this belief that it's a duty and privilege  
12 of every follower of Christ to endeavor to make  
13 disciples of all nations?

14 A I believe it's a command based on the  
15 last chapters of Matthew and Mark. I would never  
16 phrase it as the duty of privileged.

17 Q Okay. How would you explain then that  
18 doctrinal from Matthew?

19 A I just said, I take it as a command.  
20 That's the expectation that God has for me, is  
21 that I try to lead people to salvation through  
22 Christ.

163

1 Q Okay. So if I understand the word  
2 command correctly, that's something that you must  
3 do; is that correct?

4 A That's how I interpret the word  
5 command, yes.

6 Q Okay. If we stay on page 6 and we  
7 look at the section under 12, education. We were  
8 talking about this a moment ago. Do you see the  
9 first sentence that reads: Christianity is the  
10 faith?

11 A Yes.

12 Q Okay. Could you read that, please.

13 A Christianity is the faith of  
14 enlightenment and intelligence.

15 Q Okay. And do you see the section, two  
16 sentences later, all sound learning?

17 A Yes.

18 Q Could you read that, please.

19 A All sound learning is therefore a part  
20 of our Christian heritage.

21 Q Do you believe -- do you hold those  
22 beliefs?



164

1 A Well, once again, I can't put myself  
2 in the mind of the author in terms of intent, but  
3 I believe that as a Christian, I have a duty to  
4 study my Bible and know God the best I can  
5 through learning His word. That's my personal  
6 belief.

7 Q Okay. And do you believe that  
8 Christianity is the faith of enlightenment and  
9 intelligence?

10 A Again, I don't know what's meant by  
11 those words as used by the author. I can't  
12 comment on that. But those are not words I would  
13 use.

14 Q Okay. So that is not something --  
15 that would be a -- well, let me ask you this.  
16 I'm sorry, scratch that.

17 Is there anything in your faith that  
18 is similar or akin to this sentence?

19 A Again, you have me at a disadvantage  
20 not knowing what these terms were intended to  
21 mean.

22 Q Okay.

166

1 JUDGE BIRO: Ms. Edelstein, I'd like  
2 to take a break for lunch before you move on to  
3 the next topic.

4 MS. EDELSTEIN: Okay.

5 JUDGE BIRO: So whenever you're  
6 finished with this topic, we'll break.

7 MS. EDELSTEIN: Okay. Well, Your  
8 Honor, were you intending on taking an hour or  
9 half hour break, if I may ask?

10 JUDGE BIRO: Whatever you need.

11 MS. EDELSTEIN: Okay. I am finished  
12 with my line of questions for Mr. Stephens. So  
13 if you would like to take a break and then we can  
14 have Melinda Barger back after lunch, that would  
15 work.

16 JUDGE BIRO: We have to have an  
17 opportunity to pause for cross-examination.

18 MS. EDELSTEIN: Sure.

19 JUDGE BIRO: So we'll continue with  
20 that after lunch.

21 MS. EDELSTEIN: Okay.

22 JUDGE BIRO: Ms. Woeber, how long do

165

1 A I don't know how to answer that  
2 question. I'm sorry.

3 Q Okay. Well, the sentence appears to  
4 me to be that Christianity is a religion that  
5 involves enlightenment of God. Is that your  
6 belief also?

7 A Well now since you're putting your  
8 meaning on it, what do you mean by the word  
9 enlightenment?

10 Q Okay. Well, do you have any beliefs  
11 regarding the place of Christianity and God's  
12 favor?

13 A I believe that through my Christian  
14 beliefs and faith, that that's how I get to know  
15 God better. I don't really know how else to  
16 explain it.

17 Q Is that the only way to have a  
18 relationship with God?

19 A According to the Bible.

20 Q Is through Christianity?

21 A According to the Bible, yes.

22 Q Okay.

167

1 you need?

2 MS. WOEBER: Your Honor, I think we  
3 would like to reserve direct to Judge Stephens  
4 for our case.

5 JUDGE BIRO: That's fine. How long do  
6 you need for lunch?

7 MS. EDELSTEIN: I apologize. The  
8 microphone broke out.

9 JUDGE BIRO: I was asking Ms. Woeber  
10 how much -- how long does she want to take for  
11 lunch?

12 MS. WOEBER: We're flexible. Half  
13 hour, 45 minutes would be fine with us.

14 JUDGE BIRO: Okay. Let's say 45  
15 minutes. We'll come back at 12:45.

16 MS. WOEBER: Would you like --

17 JUDGE BIRO: And in recess.

18 MS. WOEBER: -- would you like us to  
19 have Ms. Barger ready by then?

20 JUDGE BIRO: That would be lovely.

21 Thank you.

22 MS. WOEBER: Thank you.